

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

Civil Action No. 5:21-CV-00466-FL

WALTER L. HART, IV, as Guardian
ad Litem for DOMINIQUE D.
NORTHCUTT, an incompetent adult,

Plaintiff,

v.

TRAVELERS PROPERTY CASUALTY
COMPANY OF AMERICA;
EDUCATIONAL DATA SYSTEMS
INCORPORATED; CAPE FEAR
AVIATION MAINTENANCE LLC; CAPE
FEAR AVIATION SERVICES, LLC and
CAPE FEAR AVIATION
FAYETTEVILLE, LLC, All d/b/a Cape
Fear Aviation; SCOT SMITH, Individually
and as Owner, Member and Manager of
CAPE FEAR AVIATION
MAINTENANCE, LLC; ROGER DALE
SMITH, Individually and as Owner,
Member and Manager of CAPE FEAR
AVIATION FAYETTEVILLE, LLC;
Cynthia B. Smith, Individually and as
Owner of CAPE FEAR AVIATION; and
Jacob “Jake” Parsons,

Defendants.

MOTION TO DISMISS CROSSCLAIM

Defendant, Travelers Property Casualty Company of America (“Travelers”), moves
to dismiss the crossclaim.

1. The crossclaim is duplicative of the complaint and counterclaim in Case Number 5:21-cv-00468 pending in this Court.

2. Accordingly, the crossclaim should be dismissed.

WHEREFORE, Travelers Property Casualty Company of America requests an order dismissing the crossclaim.

Respectfully submitted,
BUTLER WEIHMULLER KATZ CRAIG LLP

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Local Civil Rule 83.1(d) Counsel for Travelers

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of January, 2022, the foregoing was duly served by placing the same in a postage pre-paid envelope in the United States Mail addressed the following person, as well as filing the same with the above-captioned Court via ECF Pacer.

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